

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

IN RE:)	
)	CASE NO. 12-34077-KLP
Steven Hogge)	
Marion Hogge)	CHAPTER 13
)	
Debtor(s))	

ORDER MODIFYING LOAN TERMS

THIS CAUSE came on this day to consider the Motion to Approve Agreement to Amend Loan Terms ("Motion") filed herein by Steven Hogge and Marion Hogge, Debtor(s) (hereinafter "Debtor(s)"). The Court, having reviewed the pleadings filed herein and being fully advised in the premises, the Court finds that:

1. Citizens Community Bank(Lender). has offered a Loan Modification Agreement to the Debtor of a certain Deed of Trust Note by the Debtor with Citizens Community Bank of a certain Deed of Trust Note dated April 29, 2009, which note is Secured by a Deed of Trust of even date therewith and duly recorded on the Subject Property; and
2. That the Lender holds a secured interest in certain real property titled in the name of the Debtor located at 6576 Robinson Ferry Rd, White Plains, VA 23893 (the property). Described as:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATE AND BEING IN MEHERRIN MAGISTERIAL DISTRICT, BRUNSWICK COUNTY, VIRGINIA, CONTAINING 33.11 ACRES, MORE OR LESS, AND BEING MORE FULLY DESCRIBED AS PARCEL C ON A PLAT OF SURVEY FOR ETHEL J. SMITH, ROBERT B. JOHNSON, ELLEN O. BROWN, DATED DECEMBER 2, 1993, AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF BRUNSWICK COUNTY, VIRGINIA IN PLAT BOOK 13, PAGE 30.

BEING THE SAME REAL ESTATE CONVEYED TO STEVEN WAYNE HOGGE AND MARION W. HOGGE, HUSBAND AND WIFE, BY DEED OF JAMES C. CLARY, JR. DATED MAY 23, 2003, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF BRUNSWICK COUNTY, VIRGINIA AS INSTRUMENT 030001338

3. That the Lender and Debtor have engaged in further settlement discussions and have reached an agreement with respect to the loan terms of the Note referenced in Debtor's Motion and the Debtor and the Lender have signed an Agreement Modifying the terms of the Loan ("Agreement") which has been filed with the Court and upon review of the Agreement,

THE COURT FINDS That said Agreement is fair and reasonable.

THE COURT FURTHER FINDS that the Trustee was served with the Debtor's Motion.

WHEREFORE THE COURT GRANTS the Motion of the Debtor and the Loan Modification Agreement entered into between the Lender and Debtor(s) is hereby APPROVED, the terms of which are referenced in Debtor's Motion and below, and which are set forth as follows:

- a. That as of September 13, 2013, the Principal balance of the Note was \$95,990.81 plus \$3,601.62 arrears being paid through the Debtor's Chapter 13 Plan. (Unpaid Principal Balance)
- b. Current monthly payments are \$685.60 with interest rate at 7.5%
- c. That as of November 26, 2013 the approximate pay off balance is \$99,592.43.
- d. The current maturity date of the Note is April 1, 2014.
- e. The Modified Unpaid Principal Balance will be \$95,990.81(Note Number 1) and a 2nd Note for the amount of arrears being paid through the plan in the amount of \$3,601.62 (Note Number 2)
- f. of \$667.45 with a fixed interest rate of 7.5%. Payments will start on September 6, 2013 and last for 72 months.
- g. That Debtor's Chapter 13 plan shall provide for the payment of Note Number 2 at 0% interest.
- h. The new maturity date of the note will be August 28, 2019.
- i. All other terms of the Note shall remain effective and enforceable as set forth in said Note.

Signed this _____ day of _____, 20__.

Nov 27 2013

/s/ Keith L. Phillips

United States Bankruptcy Judge

I ASK FOR THIS:

Entered on Docket: Nov 27, 2013

/s/ Linda D. Jennings

Linda D. Jennings, VSB#19455

America Law Group, Inc.

2312 Boulevard

Colonial Heights, VA 23834

804-506-0177 (ph)

804-201-4707 (fax)

Counsel for Debtor

SEEN AND AGREED:

/s/ Robert E. Hyman

Robert E. Hyman, Chapter 13 Trustee

LOCAL RULE 9022-1 (C) CERTIFICATION

COMES NOW the Debtor, by counsel and pursuant to Local Rule 9022-1(C)(1) advises the Court that the foregoing Order has been endorsed by all the necessary parties.

/s/ Linda D. Jennings

Linda D. Jennings

**LIST OF PARTIES TO
RECEIVE NOTICE OF ENTRY OF ORDER**

COMES NOW the Debtor(s), by counsel, and pursuant to local Rule 9022-1(B)(1) advises the Court that the following is a list of all parties to whom notice of the entry of order should be given, to-wit:

Linda D. Jennings, VSB#19455

America Law Group, Inc.

Counsel for Debtor(s)

2312 Boulevard

Colonial Heights, VA 23834

Robert E. Hyman, Chapter 13 Trustee

PO Box 1780,

Richmond, VA 23218

Citizens Community Bank
c/o Spotts-Fain, Attorneys at law
411 E. Franklin Street
Suite 600
Richmond, VA 23219

Steven Hogge
Marion Hogge
6576 Robinson Ferry Road
White Plains, VA 23893